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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

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Technology Center 2600

Application Number: 09/785,219
Filing Date: February 20, 2001
Appellant(s): SHIMAMURA, KAORU

Stephen T. Boughner
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed May 16, 2005 appealing from the Office action mailed 6/14/2004 and 2/8/2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

1. Claims 1,3,5-7,9,10,12,14,16,18,20 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi et al. U.S. Patent No. 6,522,330 (hereinafter Kobayashi); in view of Ooishi U.S. Patent No. 5,802,538 (hereinafter Ooishi).

2. Claim 1:

(a) Kobayashi has taught a character processing apparatus which is connectable to a plurality of input terminal equipments and to a character information creating terminal equipment via a network, comprising:

A receiving section to receive a request for character information which relates to an external character from *an arbitrary* one of the input terminal equipments (e.g., Figure 5, 10, 11, 16; column 7, and 15-16);

A code allocating section allocating a code to the requested character information (e.g., column 15-16);

A control section to control creation of character information based on the requested character information, within the character information creating terminal equipment (e.g., column 9-10).

In other words, Kobayashi discloses in column 10, that the **control section** retrieves a matching character code in the information table. In column 11-12, Kobayashi further discloses that **the control section** decides whether the character code for a variant font character is to be

replaced or whether the character code be stored in the storage section before being transmitted to another character processing apparatus. Replacing the input character code with the representative character code, when the character code is not available in the character processing apparatus, also means allocating a code for the requested input by the client. Kobayashi not only teaches using the representative character for replacing the external character unknown to the server 1001, but also teaches adding or registering the external character in the storage area. For example, according to Kobayashi's disclosure in column 15-16, Kobayashi discloses that the control section can store a font (store a new font) obtained from the server 1001 by making the user decide *whether the font is to be registered or not*. After the font is stored in the font storage area, the control section stores the storage address information in correlation to the corresponding character code in the storage address information area in the character information table and thus by making it possible to add a new font, it is possible to newly add/create a font for a variant font character which may be frequently be used but have a font not stored in the font storage area and thus the processing for displaying a character corresponding to the received character code on a screen is made more efficient. According to Kobayashi, the new font along with the character code has been added/generated/created for the new font that is originally not available in the look up table or the storage area.

(b) However, it is not clear whether Kobayashi teaches the claimed limitation that, "A setting section setting created character information with respect to the allocated code, *so that the created character information is accessible from each of the input terminal equipments*".

Nevertheless, Kobayashi discloses in Fig. 10 multiple clients 1002, 1003 and 1004 and further the terminal 1007 accesses the network 1005 through a router 1006 as well as the server 1001. Thus, Kobayashi discloses a set of terminal equipments positively connected via a network (versus the broad term “connectable” or “accessible” set forth in the claim 1 and applicant’s arguments). Moreover, Kobayashi discloses in Fig. 11 a setting section for setting the new font information for a variant font character or for a existing font character. For example, the transmission control section 1106 receives the corresponding font from the font storage area according to the storage address information of the character from the retrieving section and outputs the font corresponding to the required character code to the client through the communication control section 1101 (column 13, lines 54-60).

(c) Ooishi teaches the claimed limitation of that “A setting section to set created character information with respect to the allocated code, *so that the created character information is accessible from each of the input terminal equipments*” (e.g., Ooishi column 9-10).

(d) It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a setting section of Ooishi in the Kobayashi’s apparatus because such a construction would have provided a custom character (external character) environment creating means for creating a plurality of custom character environments for the respective custom character groups (Ooishi column 2) and distributing/creating the external character codes through the network (Ooishi column 5). Moreover, Ooishi also teaches the claim limitation of code allocating section allocating a code to the requested character information (e.g., Ooishi column 7, lines 15-31; column 9-10) and a control section to control creation of

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character information based on the requested character information, within the character information creating terminal equipment (e.g., Ooishi Fig. 17; column 7, lines 15-31; column 9-10).

Moreover, Ooishi teaches distributing external characters to some other system via the network (column 5). Therefore, Ooishi teaches the external characters CAN BE delivered to or transferred via network to a distributee's system (column 7) so that the created character information is accessible from each of the input terminal equipment. Ooishi teaches the character processing apparatus as shown in Figures 1-4 which notifies the user of the created character information by displaying external characters on the monitor screen, selecting or receiving or fetching external characters as requested from some other system via the network, transforming and editing the external characters as instructed by the user on the user's input terminal equipment such as the combination of mouse and computer monitor. Therefore, Ooishi teaches a character processing apparatus which notifies the created character information to at least one of the input terminal equipment as displayed on the target system or the host system, so that the created character information is accessible from each of the input terminal equipment.

(e) Such modification would have been required for selecting a custom character under the set environment in a document processing system over a network. Kobayashi discloses in column 15-16 that the control section can store a font obtained from the server 1001, by making the user (or the client through one of the input terminal equipments of Fig. 10) decide whether the font is to be registered or not. After the font is stored in the font storage area, the control section stores the storage address information in correlation to the corresponding character code in the storage address information area in the character information table and thus

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by making it possible to add a new font, *it is possible to newly add/create a font for a variant font character which may be frequently be used but have a font not stored in the font storage area and thus the processing for displaying a character corresponding to the received character code on a screen is made more efficient.* Thus, Kobayashi discloses the very motivation of the created new font or character this way is to achieve efficient processing in a networked environment.

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a distributing section distributing the created character information to the input terminal equipments. However, Kobayashi/Ooishi further discloses the claimed limitation of a distributing section distributing the created character information to the input terminal equipments (e.g., through the network; See Kobayashi column 9-10, and 13-16; Ooishi Fig. 17, column 9-10).

3. Claim 5:

(a) Kobayashi has taught a character processing system comprising:

A plurality of input terminal equipments (e.g., figure 5, 10 and 11);

A character processing apparatus coupled to the at least one input terminal equipment via a network (e.g., figure 5, 10 and 11);

Each of said input terminal equipments comprising a requesting section requesting character information, which relates to an external character, with respect to the character processing apparatus (e.g., Figure 5, 10, 11, 16; column 7, and 15-16);

With said character processing apparatus further comprising: An allocating section allocating a code to the requested character information requested by the requesting section (e.g., column 15-16);

A first notifying section notifying the code to the input terminal equipment (e.g., column 13-16);

A creating section creating the requested character information based on the requested character information (e.g., column 15-17; and 25);

A second notifying section notifying the created character information to the input terminal equipments (e.g., column 13-16).

(b) However, Kobayashi does not explicitly disclose the claimed limitation that (1) *“the created character information is accessible from each of the input terminal equipments”* through the network.

(c) Ooishi teaches the claimed limitation that *“the created character information is accessible from each of the input terminal equipments”* through the network (e.g., Ooishi column 7, 9-10).

(d) It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the accessible step of Ooishi in the Kobayashi's apparatus because such a construction would have provided a means for sharing resources and distributing/creating the external character codes through the network.

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(e) Such modification would have been required for sharing resources among multiple platforms because Kobayashi suggests creating characters in one of the input terminal equipments over the network thereby suggesting the obvious modification.

(f) One having the ordinary skill in the art would be motivated to do this because it facilitate sharing of resources among multiple users.

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that the first notifying section notifies the code to the input terminal equipment when the code is allocated by the allocating section. However, Kobayashi/Ooishi further discloses the claimed limitation that the first notifying section notifies the code to the input terminal equipment when the code is allocated by the allocating section (e.g., column 15-16).

Claim 7:

The claim 7 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that the first notifying section notifies the code to the input terminal equipment after the code is allocated by the allocating section. However, Kobayashi further discloses the claimed limitation that the first notifying section notifies the code to the input terminal equipment after the code is allocated by the allocating section (e.g., column 15-16).

Claim 9:

The claim 9 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that the second notifying section also notifies the code to the input terminal

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equipment. However, Kobayashi further discloses the claimed limitation that the second notifying section also notifies the code to the input terminal equipment (e.g., column 15-16).

Claims 12, 14:

The claim 12, or 14 is a rephrasing of claim 5 and 5 in a method form. The claims are rejected for the same reason as set forth in claim 5.

Claims 18, 20:

The claim 18, or 20 encompasses the same scope of invention as that of claim 5 and 5 except additional claimed limitation of a storage medium. However, Kobayashi further discloses the claimed limitation of a storage medium (e.g., column 15-16).

Claim 22:

The claim 22 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the character information creating terminal equipment including the creating section. However, Kobayashi further discloses the claimed limitation of the character information creating terminal equipment including the creating section (e.g., column 15-16).

Claim 10:

The claim 10 is a rephrasing of claim 1 in a method form. The claims are rejected for the same reason as set forth in claim 1.

Claims 16:

The claim 16 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a storage medium. However, Kobayashi further discloses the claimed limitation of a storage medium (e.g., column 15-16).

Claim 23:

The claim 23 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of an environment setting section setting an external character environment to be used in the input terminal equipment. The claim is subject to the same rationale of rejection set forth in the claim 1.

Claim 24:

The claim 24 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that is identical to claim 23. The claim is rejected for the same reason as set forth in claim 23.

Claim 25:

The claim 25 encompasses the same scope of invention as that of claim 10 except additional claimed limitation that is identical to claim 23. The claim is rejected for the same reason as set forth in claim 23.

(10) Response to Argument

1. On Page 12, applicant argues in essence with respect to the Claim 1 and similar claims that:

(A) “Thus, the claimed character processing apparatus must be connectable between input terminal equipments and a character information creating terminal equipment via a network.”

In response to the arguments in (A), Kobayashi at least teaches or suggests the claim limitation of a setting section to set created character information with respect to the allocated code, *so that the created character information is accessible from each of the input terminal equipments* set forth in the claim 1. This is because Kobayashi discloses in Fig. 10 multiple clients 1002, 1003 and 1004 and further the terminal 1007 accesses the network 1005 through a router 1006 as well as the server 1001. Thus, Kobayashi discloses a set of terminal equipments positively connected via a network (versus the broad term “connectable” or “accessible” set forth in the claim 1 and applicant’s arguments). Moreover, Kobayashi discloses in Fig. 11 a setting section within the meaning of applicant’s disclosure, for example, the transmission control section 1106 receives the corresponding font from the font storage area according to the storage address information of the character from the retrieving section and outputs the font corresponding to the required character code to the client through the communication control

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section 1101 (column 13, lines 54-60). Kobayashi further discloses in column 10, that the control section retrieves a matching character code in the information table. In column 11-12, Kobayashi discloses that the control section *decides whether the character code for a variant font character is to be replaced or whether the character code be stored* in the storage section before being transmitted to another character processing apparatus. Finally, Kobayashi discloses in column 15-16 that the control section can store a font obtained from the server 1001 by making the user decide whether the font is to be registered or not. After the font is stored in the font storage area, the control section stores the storage address information in correlation to the corresponding character code in the storage address information area in the character information table and thus by making it possible to add a new font, it is possible to newly add/create a font for a variant font character which may be frequently be used but have a font not stored in the font storage area and thus the processing for displaying a character corresponding to the received character code on a screen is made more efficient. Thus, Kobayashi teaches allocating a code to the requested character information and setting created character information with respect to the allocated code.

2. On Page 12, applicant argues in essence with respect to the Claim 1 and similar claims that:

(B) “All interactions within Kobayashi et al. only occur between the character processing apparatus and a single client, via a network. There is additional ability to be connected with a character information creating terminal equipment”

In response to the arguments in (B), applicant’s statement that “all interactions within Kobayashi et al. only occur between the character processing apparatus and a single client. In fact, Kobayashi discloses a plurality of clients (See Fig. 10) wherein multiple clients 1002, 1003 and 1004 and further the terminal 1007 accesses the network 1005 through a router 1006 to the character information creating terminal equipment, i.e., the server 1001. Thus, Kobayashi discloses a set of terminal equipments positively connected via a network (versus the broad term “connectable” or “accessible” set forth in the claim 1 and applicant’s arguments).

3. On Page 12, applicant argues in essence with respect to the Claim 1 and similar claims that:

(C) “Further, Kobayashi does not allocate a code to any input requested character information. Rather, Kobayashi et al. either looks up the input code and outputs information for the same or outputs an address area of a representative character and corresponding code that can be used in place of the requested character. Thus, in

Kobayashi et al. there is never any allocating of a code to any input requested character information.”

In response to the arguments in (C), Kobayashi discloses in column 10, that the control section retrieves a matching character code in the information table. In column 11-12, Kobayashi discloses that the control section decides whether the character code for a variant font character is to be replaced or whether the character code be stored in the storage section before being transmitted to another character processing apparatus. Replacing the input character code with the representative character code, when the character code is not available in the character processing apparatus, also means allocating a code for the requested input by the client. Moreover, it is important that applicant should look into Kobayashi's disclosure in column 15-16 wherein Kobayashi discloses that the control section can store a font (store a new font) obtained from the server 1001, by making the user decide *whether the font is to be registered or not*. After the font is stored in the font storage area, the control section stores the storage address information in correlation to the corresponding character code in the storage address information area in the character information table and thus by making it possible to add a new font, it is possible to newly add/create a font for a variant font character which may be frequently be used but have a font not stored in the font storage area and thus the processing for displaying a character corresponding to the received character code on a screen is made more efficient. According to Kobayashi, the new font along with the character code has been added/generated/created for the new font that is originally not available in the look up table or the storage area.

4. On Page 12, applicant argues in essence with respect to the Claim 1 and similar claims that:

(D) "Similarly, Kobayashi et al does not include a control section to control creation of character information, based on the requested character information, within the character information creating terminal equipment. In Kobayashi et al. there is no need for any character information creation, all character information is known within the character processing apparatus of Kobayashi et al., or at least a representative character of the same is known within the character processing apparatus of Kobayashi."

In response to the arguments in (D), Kobayashi discloses in column 10, that the **control section** retrieves a matching character code in the information table. In column 11-12, Kobayashi further discloses that **the control section** decides whether the character code for a variant font character is to be replaced or whether the character code be stored in the storage section before being transmitted to another character processing apparatus. Replacing the input character code with the representative character code, when the character code is not available in the character processing apparatus, also means allocating a code for the requested input by the client.

Kobayashi not only teaches using the representative character for replacing the external character unknown to the server 1001, but also teaches adding or registering the external character in the storage area. For example, according to Kobayashi's disclosure in column 15-16, Kobayashi

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discloses that the control section can store a font (store a new font) obtained from the server 1001 by making the user decide *whether the font is to be registered or not*. After the font is stored in the font storage area, the control section stores the storage address information in correlation to the corresponding character code in the storage address information area in the character information table and thus by making it possible to add a new font, it is possible to newly add/create a font for a variant font character which may be frequently be used but have a font not stored in the font storage area and thus the processing for displaying a character corresponding to the received character code on a screen is made more efficient. According to Kobayashi, the new font along with the character code has been added/generated/created for the new font that is originally not available in the look up table or the storage area. **As a matter of fact, Kobayashi fulfils the claim limitations set forth in the claim 1.**

5. On Page 12, applicant argues in essence with respect to the Claim 1 and similar claims that:

(E) "Further, ...Kobayashi et al. cannot disclose the further claimed control section to control creation of character information, as no 'creation' of character information would be necessary."

In response to the arguments in (E), applicant failed to particularly point out the term "creation" because nothing is created, rather, the character information is only generated by the

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character processing apparatus. The character processing apparatus cannot “create” information, it only generates information or adds information to the existing database of character information.

6. On Page 13, applicant argues in essence with respect to the Claim 1 and similar claims that:

(F) “There is no evidence in the record that there is any need or desire for Kobayashi et al. to be modified as proffered. Rather, the only evidence is the Examiner’s notation that the addition of the same benefits would permit the modified Kobayashi et al. to include the benefits. This is not motivation. There must be objective evidence in the record that such benefits and/or features would be needed or desired in Kobayashi et al.. It is respectfully submitted that the proffered motivation is only a conclusory statement without foundation in the record.”

In response to the arguments in (F), Kobayashi at least teaches or suggests the claim limitation of a setting section to set created character information with respect to the allocated code, so that the created character information is accessible from each of the input terminal equipments set forth in the claim 1. This is because Kobayashi discloses in Fig. 10 multiple clients 1002, 1003 and 1004 and further the terminal 1007 accesses the network 1005 through a router 1006 as well as the server 1001. Thus, Kobayashi discloses a set of terminal equipments

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positively connected (versus the broad term “connectable” or “accessible” set forth in the claim 1 and applicant’s arguments).

Moreover, Ooishi teaches distributing external characters to some other system via the network (column 5). Therefore, Ooishi teaches the external characters CAN BE delivered to or transferred via network to a distributee’s system (column 7) so that the created character information is accessible from each of the input terminal equipment. Ooishi teaches the character processing apparatus as shown in Figures 1-4 which notifies the user of the created character information by displaying external characters on the monitor screen, selecting or receiving or fetching external characters as requested from some other system via the network, transforming and editing the external characters as instructed by the user on the user’s input terminal equipment such as the combination of mouse and computer monitor. Therefore, Ooishi teaches a character processing apparatus which notifies the created character information to at least one of the input terminal equipment as displayed on the target system or the host system, so that the created character information is accessible from each of the input terminal equipment.

Kobayashi discloses in column 15-16 that the control section can store a font obtained from the server 1001, by making the user (or the client through one of the input terminal equipments of Fig. 10) decide whether the font is to be registered or not. After the font is stored in the font storage area, the control section stores the storage address information in correlation to the corresponding character code in the storage address information area in the character information table and thus by making it possible to add a new font, *it is possible to newly add/create a font for a variant font character which may be frequently be used but have a font not stored in the font storage area and thus the processing for displaying a character*

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corresponding to the received character code on a screen is made more efficient. Thus, Kobayashi discloses the very motivation of the created new font or character this way is to achieve efficient processing in a networked environment.

Kobayashi and Ooishi fulfill the claim 1 as currently drafted.

7. On Page 15, applicant argues in essence with respect to the Claim 5 and similar claims that:

(G) "...neither Kobayashi et al. nor Ooishi disclose or suggest the claimed first notifying section notifying the allocated code to the input terminal equipments or the claimed second notifying section notifying the created character information to the input terminal equipment so that the created character information is accessible from each of the input terminal equipments."

In response to the arguments in (G), Kobayashi in fact discloses transmission control section and communication control section (column 15-16) to notify the clients and transmits information from the server to the clients through these control sections. For example, for Kobayashi discloses in column 10, that the control section retrieves a matching character code in the information table and in column 11-12 that the control section decides *whether* the character code for a variant font character is to be replaced (one notifying section) or *whether* the character

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code be stored in the storage section (the other notifying section) before being transmitted to another character processing apparatus. Moreover, Kobayashi discloses that the control section can store a font (store a new font) obtained from the server 1001, and *by making the user decide whether the font is to be registered or not*. Therefore, Kobayashi further notifies the user so that *the user decides whether the font is to be registered or not* and thereby a further notifying section is disclosed. After the font is stored in the font storage area, the control section stores the storage address information in correlation to the corresponding character code in the storage address information area in the character information table and thus by making it possible to add a new font, it is possible to newly add/create a font for a variant font character which may be frequently be used but have a font not stored in the font storage area and thus the processing for displaying a character corresponding to the received character code on a screen is made more efficient. Finally, the new font and the character code are transmitted to the client 1002 **or other clients** (column 16) and as a result more and more notifications between the server and the clients have been transmitted as evidenced by the display of the more and more variant fonts or the new fonts in the clients' system.

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No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

jcw

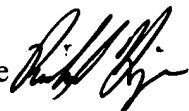


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